

AMENDED IN SENATE MAY 1, 2002

SENATE BILL

No. 1953

Introduced by Senator Figueroa

(Coauthors: Senators Johannessen and Polanco)

(Coauthors: Assembly Members Aanestad, Correa, and Thomson)

February 22, 2002

~~An act to amend Sections 7000.5 and 7011 of the Business and Professions Code, relating to contractors. An act to amend Sections 144, 7000.5, 7011, 7069, 7137, 7138.1, and 7153.1 of, and to add Sections 7000.6 and 7017.5 to, the Business and Professions Code, and to amend Section 1095 of the Unemployment Insurance Code, relating to contractors, and making an appropriation therefor.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 1953, as amended, Figueroa. Contractors.

(1) Existing law, the Contractors' State License Law, creates the Contractors' State License Board within the Department of Consumer Affairs. Existing law authorizes the board to appoint a registrar of contractors who is responsible for all of the board's administrative duties. Under existing law, these provisions will become inoperative on July 1, 2003, and will be repealed on January 1, 2004.

This bill would extend these provisions to ~~an unspecified date~~ *January 1, 2008. This bill would state that the highest priority for the board, in performing its licensing, regulatory, and disciplinary functions, is the protection of the public.*

(2) Existing law requires the board, within 30 days prior to the meeting of the general session of the Legislature, to submit a report to the Governor and the Legislature describing its transactions for the preceding biennium.

This bill would require the board to submit an additional report to the Legislature, by October 1 of each year, containing statistical and case aging information, as specified, pertaining to complaints the board received the previous year.

(3) Existing law prohibits an applicant, officer, director, partner, associate, and a managing employee from committing any acts or crimes that are grounds for denial of a license. Existing law requires a home improvement salesman to submit an application for licensure to the board with the appropriate fee.

This bill would require, on and after January 1, 2004, that all applicants for a contractor's license or a home improvement salesman license submit a set of fingerprints to the board with his or her application. The bill would require the board to obtain and receive criminal history information from the Department of Justice and the Federal Bureau of Investigation for a criminal history records check.

(4) Existing law statutorily provides the fees that the board may charge for, among other things, an application for an original license, rescheduling an examination, and the renewal of an active or an inactive license.

This bill would authorize the board to set these fees by regulation, subject to increased fee maximums for specified licenses and services. Because these fees would be deposited into the Contractors' License Fund, which is continuously appropriated, the bill would make an appropriation.

(5) Existing law provides that the board may set fees at a level necessary to generate a 3-month reserve fund based on annual board expenses.

This bill would authorize the board to set fees to maintain the amount of the reserve fund at a level not to exceed approximately 6 months of annual authorized board expenditures.

(6) Existing law authorizes the Director of the Employment Development Department to permit the use of information in his or her possession for specified purposes.

This bill would additionally authorize the director to release information to the board so the board may verify the employment history of an individual applying for a contractor's license.

Vote: majority. Appropriation: ~~no~~ yes. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. *Section 144 of the Business and Professions Code is amended to read:*

144. (a) Notwithstanding any other provision of law, an agency designated in subdivision (b) shall require an applicant to furnish to the agency a full set of fingerprints for purposes of conducting criminal history record checks. Any agency designated in subdivision (b) may obtain and receive, at its discretion, criminal history information from the Department of Justice and the United States Federal Bureau of Investigation.

(b) Subdivision (a) applies to the following boards or committees:

- (1) California Board of Accountancy.
- (2) State Athletic Commission.
- (3) Board of Behavioral Sciences.
- (4) Court Reporters Board of California.
- (5) State Board of Guide Dogs for the Blind.
- (6) California State Board of Pharmacy.
- (7) Board of Registered Nursing.
- (8) Veterinary Medical Board.
- (9) Registered Veterinary Technician Committee.
- (10) Board of Vocational Nursing and Psychiatric Technicians.
- (11) Respiratory Care Board of California.
- (12) Hearing Aid Dispensers Advisory Commission.
- (13) Physical Therapy Board of California.
- (14) Physician Assistant Committee of the Medical Board of California.
- (15) Speech-Language Pathology and Audiology Board.
- (16) Medical Board of California.
- (17) State Board of Optometry.
- (18) Acupuncture Board.
- (19) Cemetery and Funeral Programs.
- (20) Bureau of Security and Investigative Services.
- (21) Division of Investigation.
- (22) Board of Psychology.
- (23) The California Board of Occupational Therapy.
- (24) *Contractors' State License Board.*

SEC. 2. Section 7000.5 of the Business and Professions Code is amended to read:

1 7000.5. (a) There is in the Department of Consumer Affairs
2 a Contractors' State License Board, which consists of 15 members.

3 (b) The repeal of this section renders the board subject to the
4 review required by Division 1.2 (commencing with Section 473).
5 However, the review of this board by the department shall be
6 limited to only those unresolved issues identified by the Joint
7 Legislative Sunset Review Committee.

8 (c) This section shall become inoperative on July 1, ~~2007~~,
9 and, as of January 1, ~~2008~~, is repealed, unless a later enacted
10 statute, which becomes effective on or before January 1, ~~2008~~,
11 deletes or extends the dates on which it becomes inoperative
12 and is repealed.

13 ~~SEC. 2.~~

14 *SEC. 3. Section 7000.6 is added to the Business and*
15 *Professions Code, to read:*

16 *7000.6. Protection of the public shall be the highest priority*
17 *for the Contractors' State License Board in exercising its*
18 *licensing, regulatory, and disciplinary functions. Whenever the*
19 *protection of the public is inconsistent with other interests sought*
20 *to be promoted, the protection of the public shall be paramount.*

21 *SEC. 4. Section 7011 of the Business and Professions Code is*
22 *amended to read:*

23 *7011. The board by and with the approval of the director shall*
24 *appoint a registrar of contractors and fix his or her compensation.*

25 *The registrar shall be the executive officer and secretary of the*
26 *board and shall carry out all of the administrative duties as*
27 *provided in this chapter and as delegated to him or her by the*
28 *board.*

29 *For the purpose of administration of this chapter, there may be*
30 *appointed a deputy registrar, a chief reviewing and hearing officer*
31 *and, subject to Section 159.5, other assistants and subordinates as*
32 *may be necessary.*

33 *Appointments shall be made in accordance with the provisions*
34 *of civil service laws.*

35 *This section shall become inoperative on July 1, ~~2007~~,*
36 *and, as of January 1, ~~2008~~, is repealed, unless a later enacted*
37 *statute, which becomes effective on or before January 1, ~~2008~~,*
38 *deletes or extends the dates on which it becomes inoperative*
39 *and is repealed.*

1 SEC. 5. Section 7017.5 is added to the Business and
2 Professions Code, to read:

3 7017.5. The Contractors' State License Board shall report
4 annually to the Legislature, no later than October 1 of each year,
5 the following statistical and case aging information for the prior
6 fiscal year. Data shall be gathered on complaints against licensed
7 contractors, registered home improvement salespersons, and
8 unlicensed persons acting as licensees or registrants. This
9 information shall include, but not be limited to, the following:

10 (a) The number of complaints received by the board. The
11 complaints shall be itemized by source, such as public, trade,
12 profession, government agency, or board-initiated, and by type of
13 complaint, such as workmanship, abandonment, financial,
14 technical, nonlicensee, or other type of complaint.

15 (b) The disposition of these complaints, which shall include the
16 following:

17 (1) The number of complaints closed prior to referral for field
18 investigation, itemized by the reason for the closure, such as lack
19 of jurisdiction, insufficient evidence to proceed, no violation,
20 closed after intervention or mediation, referred for mandatory
21 arbitration, or referred for voluntary arbitration.

22 (2) The number of complaints referred for field investigation,
23 itemized by the type of complaint, such as workmanship,
24 abandonment, nonlicensee, or other type of complaint.

25 (3) For all cases reported under paragraphs (1) and (2), a
26 further identification of cases closed and referred alleging a
27 violation of Section 7159 concerning excessive down payments on
28 home improvement contracts, a violation of Section 7121.5
29 concerning qualifiers on revoked or suspended licenses, or a
30 violation of Section 7121 concerning employment of unlicensed
31 executives.

32 (c) The investigation of these complaints, which shall include:

33 (1) The number of complaints closed after referral for field
34 investigation, itemized by the reason for the closure, such as
35 insufficient evidence to proceed, no violation, closed after
36 intervention or mediation, referred for mandatory arbitration, or
37 referred for voluntary arbitration.

38 (2) The number of citations issued to licensees, itemized by the
39 type of violation, such as workmanship, abandonment, contract
40 violation, or other violation, and by the type of citation, such as

1 *order of abatement only or order of abatement and fine. This*
2 *information shall also include the total amount of fines assessed,*
3 *the total amount of fines collected, and the number of citations*
4 *vacated or withdrawn.*

5 (3) *The number of citations issued to nonlicensees, itemized by*
6 *type of citation, such as the following: (A) citation, order of*
7 *abatement, cease and desist order only, or (B) citation, order of*
8 *abatement, cease and desist order with a fine. This information*
9 *shall also include the total amount of fines assessed, the total*
10 *amount of fines collected, and the number of citations vacated or*
11 *withdrawn.*

12 (4) *The number of complaints referred to local prosecutors for*
13 *criminal investigation or prosecution, itemized by the type of case.*

14 (5) *The number of complaints referred to the Attorney General*
15 *for the filing of an accusation.*

16 (6) *For all cases reported under paragraphs (1) to (5),*
17 *inclusive, a further identification of cases closed, referred, or cited*
18 *for a violation of Section 7159 concerning excessive down*
19 *payments on home improvement contracts, a violation of Section*
20 *7121.5 concerning qualifiers on revoked or suspended licenses, or*
21 *a violation of Section 7121 concerning employment of unlicensed*
22 *executives.*

23 (d) *The prosecution data, including the number of accusations*
24 *and petitions to revoke probation filed by the Attorney General,*
25 *and an itemization of all cases alleging a violation of Section 7159*
26 *concerning excessive down payments on home improvement*
27 *contracts, a violation of Section 7121.5 concerning qualifiers on*
28 *revoked or suspended licenses, and a violation of Section 7121*
29 *concerning employment of unlicensed executives.*

30 (e) *The actions taken by the board regarding each of the*
31 *following:*

32 (1) *The number of disciplinary actions taken by way of*
33 *accusation, itemized by type of action, such as revocation,*
34 *suspension, probation, or other disciplinary action.*

35 (2) *The number of accusations dismissed or withdrawn.*

36 (3) *An itemization of all actions taken for a violation of Section*
37 *7159 concerning excessive down payments on home improvement*
38 *contracts, a violation of Section 7121.5 concerning qualifiers on*
39 *revoked or suspended licenses, and a violation of Section 7121*
40 *concerning employment of unlicensed executives.*

1 (f) *Automatic disciplinary actions, such as the following:*

2 (1) *The number of automatic disciplinary actions for failure to*
3 *pay an arbitration award, itemized by suspension or revocation.*

4 (2) *The number of automatic disciplinary actions for failure to*
5 *pay a citation, itemized by suspension or revocation.*

6 (3) *The number of all other automatic suspensions and*
7 *revocations, itemized by suspension or revocation.*

8 (g) *The number of interim suspension orders issued pursuant to*
9 *Section 494 and temporary restraining orders issued pursuant to*
10 *Sections 125.5, 125.7, and any other applicable section of law,*
11 *including the number of orders sought and granted.*

12 (h) *The amount of cost recovery sought pursuant to Section*
13 *125.3, the amount ordered, and the amount collected.*

14 (i) *The average caseload for program technicians, consumer*
15 *services representatives, and enforcement representatives at the*
16 *beginning of the fiscal year and quarterly updates throughout the*
17 *fiscal year, itemized by the board office.*

18 (j) *Case aging data, including aging data from each of the*
19 *major stages of the enforcement process including, but not limited*
20 *to, the following:*

21 (1) *The average and median number of days from the filing of*
22 *a complaint to the closure of a case or other disposition by intake*
23 *or mediation, itemized by the intake mediation centers in northern*
24 *and southern California and by the type of case, such as*
25 *workmanship, abandonment, nonlicensee, or other type of case.*

26 (2) *The average and median number of days from the filing of*
27 *a complaint to the completion of an investigation, itemized by the*
28 *investigation centers and by the type of case, such as*
29 *workmanship, abandonment, nonlicensee, or other type of case.*

30 (3) *The average and median number of days from the filing of*
31 *a complaint to the referral of the completed investigation to the*
32 *Attorney General, itemized by the investigation centers and by the*
33 *type of case, such as workmanship, abandonment, nonlicensee, or*
34 *other type of case.*

35 (4) *The average and median number of days from the referral*
36 *of a completed investigation to the Attorney General to the filing*
37 *of an accusation, itemized by the major metropolitan offices of the*
38 *Attorney General.*

39 (5) *The average and median number of days from the filing of*
40 *an accusation to the first day of the hearing.*

1 (6) *The average number of days from the filing of an accusation*
2 *to the submission of an administrative law judge's proposed*
3 *decision to the registrar.*

4 (7) *The average and median number of days from the receipt of*
5 *the registrar's proposed decision to the final decision.*

6 (k) *The number of cases pending that are over 180 days old,*
7 *itemized by month.*

8 (l) *The number of cases pending at the end of the fiscal year,*
9 *itemized by 60-day increments, and the percentage of total cases*
10 *pending, represented by the number of cases in each of those*
11 *increments.*

12 (m) *Staff productivity measured by the total number of*
13 *complaints closed divided by the number of personnel dedicated*
14 *to the enforcement program.*

15 SEC. 6. *Section 7069 of the Business and Professions Code is*
16 *amended to read:*

17 7069. (a) An applicant, and each officer, director, partner,
18 associate and responsible managing employee thereof, shall not
19 have committed acts or crimes which are grounds for denial of
20 licensure under Section 480.

21 (b) *As part of an application for a contractor's license, the*
22 *board shall require an applicant to furnish a full set of fingerprints*
23 *for purposes of conducting a criminal history record check.*
24 *Fingerprints furnished pursuant to this subdivision shall be*
25 *submitted in an electronic format where readily available.*
26 *Requests for alternative methods of furnishing fingerprints are*
27 *subject to the approval of the registrar. The board shall use the*
28 *fingerprints furnished by an applicant to obtain criminal history*
29 *information on the applicant from the Department of Justice and*
30 *the United States Federal Bureau of Investigations, including any*
31 *subsequent arrest information available. This subdivision shall*
32 *become operative on January 1, 2004.*

33 SEC. 7. *Section 7137 of the Business and Professions Code is*
34 *amended to read:*

35 7137. ~~The amount of the board shall set fees by regulation.~~
36 ~~These fees prescribed by this chapter shall be fixed by the board~~
37 ~~according to not exceed the following schedule:~~

38 (a) The application fee for an original license in a single
39 classification shall ~~not be two hundred fifty more than three~~
40 ~~hundred dollars (\$250) (\$300).~~

1 The application fee for each additional classification applied for
2 in connection with an original license shall *not be ~~fifty~~ more than*
3 *seventy-five dollars* ~~(\$50)~~ (\$75).

4 The application fee for each additional classification pursuant
5 to Section 7059 shall *not be ~~fifty~~ more than seventy-five dollars*
6 ~~(\$50)~~ (\$75).

7 The application fee to replace a responsible managing officer or
8 employee pursuant to Section 7068.2 shall *not be ~~fifty~~ more than*
9 *seventy-five dollars* ~~(\$50)~~ (\$75).

10 (b) The fee for rescheduling an examination for an applicant
11 who has applied for an original license, additional classification,
12 a change of responsible managing officer or responsible managing
13 employee, or for an asbestos certification or hazardous substance
14 removal certification, shall *not be ~~fifty~~ more than sixty dollars*
15 ~~(\$50)~~ (\$60).

16 (c) *The fee for scheduling or rescheduling an examination for*
17 *a licensee who is required to take the examination as a condition*
18 *of probation shall not be more than sixty dollars* (\$60).

19 (d) The initial license fee for an active or inactive license shall
20 *not be more than one hundred ~~fifty~~ eighty dollars* ~~(\$150)~~ (\$180).

21 ~~(d)~~

22 (e) The renewal fee for an active license shall *not be more than*
23 *three hundred sixty dollars* ~~(\$300)~~ (\$360).

24 The renewal fee for an inactive license shall *not be more than*
25 *one hundred ~~fifty~~ eighty dollars* ~~(\$150)~~ (\$180).

26 ~~(e)~~

27 (f) The delinquency fee is an amount equal to 50 percent of the
28 renewal fee, if the license is renewed more than 30 days after its
29 expiration.

30 ~~(f)~~

31 (g) The registration fee for a home improvement salesperson
32 shall *not be ~~fifty~~ more than seventy-five dollars* ~~(\$50)~~ (\$75).

33 ~~(g)~~

34 (h) The renewal fee for a home improvement salesperson
35 registration shall *not be more than* seventy-five dollars (\$75).

36 ~~(h)~~

37 (i) The application fee for an asbestos certification examination
38 shall *not be ~~fifty~~ more than seventy-five dollars* ~~(\$50)~~ (\$75).

39 ~~(i)~~

(j) The application fee for a hazardous substance removal or remedial action certification examination shall *not* be ~~more than seventy-five dollars (\$75)~~ *more than fifty more than seventy-five dollars (\$50) (\$75)*.

SEC. 8. *Section 7138.1 of the Business and Professions Code is amended to read:*

7138.1. Notwithstanding Section 7137, the board, ~~on or before July 1, 1997, shall reduce the amount of fix fees to be collected pursuant to that section in order to generate revenues sufficient to maintain the board's reserve fund at a level approximately equal to three months not to exceed approximately six months of annual authorized board expenditures. Thereafter, similar fee collection adjustments shall be made on a biennial basis.~~

SEC. 9. *Section 7153.1 of the Business and Professions Code is amended to read:*

7153.1. (a) The home improvement salesman shall submit to the registrar an application in writing containing the statement that he desires the issuance of a registration under the terms of this article.

The application shall be made on a form prescribed by the registrar and shall be accompanied by the fee fixed by this chapter.

(b) The registrar may refuse to register the applicant under the grounds specified in Section 480.

(c) *As part of an application for a home improvement salesman, the board shall require an applicant to furnish a full set of fingerprints for purposes of conducting criminal history record checks. Fingerprints furnished pursuant to this subdivision shall be submitted in an electronic format where readily available. Requests for alternative methods of furnishing fingerprints are subject to the approval of the registrar. The board shall use the fingerprints furnished by an applicant to obtain criminal history information on the applicant from the Department of Justice and the United States Federal Bureau of Investigation, including any subsequent arrest information available. This subdivision shall become operative on January 1, 2004.*

SEC. 10. *Section 1095 of the Unemployment Insurance Code is amended to read:*

1095. The director shall permit the use of any information in his or her possession to the extent necessary for any of the following purposes and may require reimbursement for all direct

costs incurred in providing any and all information specified in this section, except information specified in subdivisions (a) to (e), inclusive:

(a) To enable the director or his or her representative to carry out his or her responsibilities under this code.

(b) To properly present a claim for benefits.

(c) To acquaint a worker or his or her authorized agent with his or her existing or prospective right to benefits.

(d) To furnish an employer or his or her authorized agent with information to enable him or her to fully discharge his or her obligations or safeguard his or her rights under this division or Division 3 (commencing with Section 9000).

(e) To enable an employer to receive a reduction in contribution rate.

(f) To enable federal, state, or local government departments or agencies, subject to federal law, to verify or determine the eligibility or entitlement of an applicant for, or a recipient of, public social services provided pursuant to Division 9 (commencing with Section 10000) of the Welfare and Institutions Code, or Part A of Title IV of the Social Security Act, where the verification or determination is directly connected with, and limited to, the administration of public social services.

(g) To enable county administrators of general relief or assistance, or their representatives, to determine entitlement to locally provided general relief or assistance, where the determination is directly connected with, and limited to, the administration of general relief or assistance.

(h) To enable state or local governmental departments or agencies to seek criminal, civil, or administrative remedies in connection with the unlawful application for, or receipt of, relief provided under Division 9 (commencing with Section 10000) of the Welfare and Institutions Code or to enable the collection of expenditures for medical assistance services pursuant to Part 5 (commencing with Section 17000) of Division 9 of the Welfare and Institutions Code.

(i) To provide any law enforcement agency with the name, address, telephone number, birth date, social security number, physical description, and names and addresses of present and past employers, of any victim, suspect, missing person, potential witness, or person for whom a felony arrest warrant has been

1 issued, when a request for this information is made by any
2 investigator or peace officer as defined by Sections 830.1 and
3 830.2 of the Penal Code, or by any federal law enforcement officer
4 to whom the Attorney General has delegated authority to enforce
5 federal search warrants, as defined under Sections 60.2 and 60.3
6 of Title 28 of the Code of Federal Regulations, as amended, and
7 when the requesting officer has been designated by the head of the
8 law enforcement agency and requests this information in the
9 course of and as a part of an investigation into the commission of
10 a crime when there is a reasonable suspicion that the crime is a
11 felony and that the information would lead to relevant evidence.
12 The information provided pursuant to this subdivision shall be
13 provided to the extent permitted by federal law and regulations,
14 and to the extent the information is available and accessible within
15 the constraints and configurations of existing department records.
16 Any person who receives any information under this subdivision
17 shall make a written report of the information to the law
18 enforcement agency that employs him or her, for filing under the
19 normal procedures of that agency.

20 (1) This subdivision shall not be construed to authorize the
21 release to any law enforcement agency of a general list identifying
22 individuals applying for or receiving benefits.

23 (2) The department shall maintain records pursuant to this
24 subdivision only for periods required under regulations or statutes
25 enacted for the administration of its programs.

26 (3) This subdivision shall not be construed as limiting the
27 information provided to law enforcement agencies to that
28 pertaining only to applicants for, or recipients of, benefits.

29 (4) The department shall notify all applicants for benefits that
30 release of confidential information from their records will not be
31 protected should there be a felony arrest warrant issued against the
32 applicant or in the event of an investigation by a law enforcement
33 agency into the commission of a felony.

34 (j) To provide public employee retirement systems in
35 California with information relating to the earnings of any person
36 who has applied for or is receiving a disability income, disability
37 allowance, or disability retirement allowance, from a public
38 employee retirement system. The earnings information shall be
39 released only upon written request from the governing board
40 specifying that the person has applied for or is receiving a



1 disability allowance or disability retirement allowance from its
2 retirement system. The request may be made by the chief executive
3 officer of the system or by an employee of the system so authorized
4 and identified by name and title by the chief executive officer in
5 writing.

6 (k) To enable the Division of Labor Standards Enforcement in
7 the Department of Industrial Relations to seek criminal, civil, or
8 administrative remedies in connection with the failure to pay, or
9 the unlawful payment of, wages pursuant to Chapter 1
10 (commencing with Section 200) of Part 1 of Division 2 of, and
11 Chapter 1 (commencing with Section 1720) of Part 7 of Division
12 2 of, the Labor Code.

13 (l) To enable federal, state, or local governmental departments
14 or agencies to administer child support enforcement programs
15 under Title IV of the Social Security Act (42 U.S.C. Sec. 651 et
16 seq.).

17 (m) To provide federal, state, or local governmental
18 departments or agencies with wage and claim information in its
19 possession that will assist those departments and agencies in the
20 administration of the victims of crime program or in the location
21 of victims of crime who, by state mandate or court order, are
22 entitled to restitution that has been or can be recovered.

23 (n) To provide federal, state, or local governmental
24 departments or agencies with information concerning any
25 individuals who are or have been:

26 (1) Directed by state mandate or court order to pay restitution,
27 fines, penalties, assessments, or fees as a result of a violation of
28 law.

29 (2) Delinquent or in default on guaranteed student loans or who
30 owe repayment of funds received through other financial
31 assistance programs administered by those agencies. The
32 information released by the director for the purposes of this
33 paragraph shall not include unemployment insurance benefit
34 information.

35 (o) To provide an authorized governmental agency with any or
36 all relevant information that relates to any specific workers'
37 compensation insurance fraud investigation. The information
38 shall be provided to the extent permitted by federal law and
39 regulations. For the purposes of this subdivision, "authorized
40 governmental agency" means the district attorney of any county,

1 the office of the Attorney General, the Department of Industrial
2 Relations, and the Department of Insurance. An authorized
3 governmental agency may disclose this information to the State
4 Bar, the Medical Board of California, or any other licensing board
5 or department whose licensee is the subject of a workers'
6 compensation insurance fraud investigation. This subdivision
7 shall not prevent any authorized governmental agency from
8 reporting to any board or department the suspected misconduct of
9 any licensee of that body.

10 (p) To enable the Director of the Bureau for Private
11 Postsecondary and Vocational Education, or his or her
12 representatives, to access unemployment insurance quarterly
13 wage data on a case-by-case basis to verify information on school
14 administrators, school staff, and students provided by those
15 schools who are being investigated for possible violations of
16 Chapter 7 (commencing with Section 94700) of Part 59 of the
17 Education Code.

18 (q) To provide employment tax information to the tax officials
19 of Mexico, if a reciprocal agreement exists. For purposes of this
20 subdivision, "reciprocal agreement" means a formal agreement to
21 exchange information between national taxing officials of Mexico
22 and taxing authorities of the State Board of Equalization, the
23 Franchise Tax Board, and the Employment Development
24 Department. Furthermore, the reciprocal agreement shall be
25 limited to the exchange of information that is essential for tax
26 administration purposes only. Taxing authorities of the State of
27 California shall be granted tax information only on California
28 residents. Taxing authorities of Mexico shall be granted tax
29 information only on Mexican nationals.

30 (r) To enable city and county planning agencies to develop
31 economic forecasts for planning purposes. The information shall
32 be limited to businesses within the jurisdiction of the city or county
33 whose planning agency is requesting the information, and shall not
34 include information regarding individual employees.

35 (s) To provide the State Department of Developmental
36 Services with wage and employer information that will assist in the
37 collection of moneys owed by the recipient, parent, or any other
38 legally liable individual for services and supports provided
39 pursuant to Chapter 9 (commencing with Section 4775) of
40 Division 4.5 of, and Chapter 2 (commencing with Section 7200)



1 and Chapter 3 (commencing with Section 7500) of Division 7 of,
2 the Welfare and Institutions Code.

3 (t) *To enable the Contractors' State License Board to verify the*
4 *employment history of an individual applying for licensure*
5 *pursuant to Section 7068 of the Business and Professions Code.*

6 (u) Nothing in this section shall be construed to authorize or
7 permit the use of information obtained in the administration of this
8 code by any private collection agency.

9 ~~(u)~~

10 (v) The disclosure of the name and address of an individual or
11 business entity that was issued an assessment that included
12 penalties under Section 1128 or 1128.1 shall not be in violation of
13 Section 1094 if the assessment is final. The disclosure may also
14 include any of the following:

15 (1) The total amount of the assessment.

16 (2) The amount of the penalty imposed under Section 1128 or
17 1128.1 that is included in the assessment.

18 (3) The facts that resulted in the charging of the penalty under
19 Section 1128 or 1128.1.

